

State Personnel Board, State of Colorado

Case No. 97 B 067

ORDER OF BOARD ON REMAND FROM COURT OF APPEALS

EDWARD GRZECHOWIAK,
Complainant,

v.

DEPARTMENT OF CORRECTIONS, COLORADO TERRITORIAL
CORRECTIONAL FACILITY,
Respondent.

The State Personnel Board (the "Board") met in public session on October 17, 2000. During this public session, the Board considered the Order Vacated and Cause Remanded with Directions, issued February 24, 2000, by the Colorado Court of Appeals in Case No. 98CA2130, and the record relating thereto, including:

1. Initial Decision of the Administrative Law Judge
2. Order of Remand of the State Personnel Board
3. Initial Decision of the Administrative Law Judge on Remand from the State Personnel Board
4. Order of the State Personnel Board
5. Mandate.

Therefore, the following Order is entered:

Pursuant to remand, the Board enters an order upholding the Department of Corrections' disciplinary termination of Complainant, as stated in the Court of Appeals' Order Vacated and Cause Remanded with Directions, Case No. 98CA2130, which was issued February 24, 2000.

This Order represents the affirmative of the following Board members: Ms. Hoffman, Ms. Daly, and Mr. Zakhem. Ms. Lottner was absent.

Dated this _____ day of
October, 2000.

Joy Hoffman
Board Chair|
State Personnel Board
1120 Lincoln Street, Suite 1420
Denver, CO 80203

NOTICE OF APPEAL

Each party has the following rights:

1. To abide by this decision of the State Personnel Board; or
2. To appeal this decision to the Colorado Court of Appeals within 45 days pursuant to Section 24-4-106(11), C.R.S. (2000), as provided in Section 24-50-125.4(3), C.R.S. (2000).

CERTIFICATE OF MAILING

This is to certify that on the _____ day of October, 2000, I placed true copies of the foregoing **ORDER OF BOARD ON REMAND FROM COURT OF APPEALS** in the United States mail, postage prepaid, addressed as follows:

James R. Gilsdorf, Esq.
1145 Bannock Street
Denver, CO 80203

and in the interagency mail, addressed as follows:

Steven A. Chavez
Assistant Attorney General
Employment Section
1525 Sherman Street, 5th Floor
Denver, CO 80203

Denise DeForest
Assistant Attorney General
Business & Licensing Section
1525 Sherman Street, 5th Floor
Denver, CO 80203